

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHAY JEWELRY CORP., *doing business as* VIR
JEWELS,

Plaintiff,

– against –

VR JEWELS USA INC.,

Defendant.

ORDER

23-cv-09168 (ER)

Ramos, D.J.:

Richay Jewelry Corp. filed this action on October 18, 2023. Doc. 1. Richay filed an affidavit of service on November 8, 2023, indicating that VR Jewels USA Inc. had been served. Doc. 8. On May 29, 2024, the Court issued an order noting that there had been no subsequent activity on the docket and directing Richay to provide a status report. Doc. 9.

On June 5, 2024, counsel for Richay submitted a letter stating that Richay had been unresponsive to counsel. Doc. 10. Counsel subsequently moved to withdraw, Docs. 12–14, and the Court granted that motion, Doc. 16. In doing so, the Court noted that Richay cannot appear pro se because it is a corporation. *Id.* The Court directed Richay to retain new counsel and have them enter an appearance by July 15, 2024. *Id.* “If Richay fails to do so,” the Court warned, “the case may be dismissed for failure to prosecute.” *Id.* The Court directed counsel to serve a copy of the order on Richay, *id.*, and counsel did so, Doc. 17.

No new counsel has appeared on behalf of Richay. Accordingly, Richay’s claims are dismissed without prejudice for failure to prosecute. *See, e.g., Max Impact, LLC v. Sherwood Grp., Inc.*, No. 09 Civ. 0902 (JGK), 2013 WL 4451301, at *1 (S.D.N.Y. Aug. 19, 2013)

(dismissing claims without prejudice for failure to prosecute where corporation failed to retain counsel).

The Clerk of Court is respectfully directed to close the case.

It is SO ORDERED.

Dated: November 4, 2024
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.